

**Cheshire West and Chester Council**  
**Housing Management**

**Voids and Lettings**  
**Policy**

**1 MANAGEMENT INFORMATION**

Approval Date – V3	2 <sup>nd</sup> July 2024
Next Review Date	1 <sup>st</sup> July 2027
Responsible Service Area	Strategic Housing and Commissioning
Responsible Director	Gemma Davies, Director of Economy and Housing

### Aim of Policy

This policy applies to all properties managed by ForHousing (Managed) under the Cheshire West and Chester Council (CW&C) Housing Management contract.

Under this policy we aim to:

- Ensure that the allocation of properties will comply with legal and regulatory requirements.
- ForHousing will co-operate with CW&C's strategic housing functions and assist CW&C to fulfil their duties to meet identified local housing need. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.
- Ensure properties will be re-let as quickly as possible to meet housing need and to minimise rent loss and maximise income.
- Ensure offers take into consideration how the housing stock can best be used in terms of occupancy levels, facilities, tackling unlawful subletting and tenancy fraud.
- Support Cheshire West and Chester Council to discharge their statutory duties, including those under the homelessness legislation and the allocation of properties through lettings schemes.
- Ensure fair and transparent access to rehousing whilst maximising tenant choice and mobility.
- Use local lettings agreements to facilitate balanced and sustainable neighbourhoods.
- Enable tenants to access their own housing solution through mutual exchanges.
- Minimise void repair costs, rechargeable repair costs and former tenant arrears through clear and effective communication with tenants and a process of early inspection.

- ForHousing will seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.

## Policy

This Policy sets out ForHousing (Managed)'s intentions when repairing and allocating empty properties. ForHousing (Managed) manage Cheshire West and Chester's housing stock.

### **Void Management**

#### **Notice Period**

Tenants are required to give four weeks written notice that they intend to terminate their tenancy.

Notice is not required in the following circumstances:

- Where the tenant is transferring to another Council property.
- Where a tenant has passed away or following an eviction.
- In cases where the tenant is being discharged from hospital into specialist accommodation, it might not be possible to provide the full notice period. In these cases, the ForHousing (Managed) team will liaise with the hospital and a shorter notice period will be agreed to avoid 'bed blocking' and to provide the best care to the tenant. Other exceptional circumstances will also be considered by the Housing Manager who will take into account the Council's rental income and the needs of the individual.

The outgoing tenant will be liable for a further week's rental if all keys to the property are not returned to us by midday on the Monday following the due date (Tuesday, in the event of the Monday being a Bank Holiday), and on an ongoing basis until such time as the keys are returned.

Where a tenant has passed away, immediate notice will be accepted as any benefit that was payable will stop on the date of death leaving full rent payable up to the date the keys are returned.

#### **Tenant responsibilities when ending a tenancy**

All furniture, personal possessions and rubbish must be cleared from the property, and it should be left in a good, clean condition. We do not accept responsibility for anything left behind at the end of the tenancy.

If we have to clear the property or carry out repairs that are not the result of fair wear and tear repair, we will charge the outgoing tenant for the cost of the clearance and repair.

#### **Pre-Termination Inspection**

Where notice is provided, we will where possible visit all out-going tenant's homes before the end of their tenancy to:

- Check why the tenant is moving out and is there anything further we can do to help maintain the tenancy.
- Ensure the tenant understands that the property must be left in a clear and clean condition and that failure to do so will result in the tenant being recharged for the associated costs.
- Discuss any potential recharges as a result of damage or unauthorized alterations to the property.
- Confirm the forwarding address and if there are rent arrears agree how the tenant is going to pay the money owed.

## **Compensation for Improvements**

Under the Right to Compensation for Improvement Regulations, tenants who have made significant 'qualifying improvements' to their home, could be eligible at the end of their tenancy to claim compensation for home improvements they have carried out.

Compensation will only be paid if we had agreed, in writing, to the improvements before they were made. Compensation is paid on a sliding scale and will depend on how long the tenant has enjoyed the benefits of the improvement works. As per the regulations, compensation is calculated by considering how much the improvement cost, the notional life of the improvement, and how many years the improvement has been in place.

To make a claim for compensation, the outgoing tenant must provide sufficient information for the landlord to determine the claim. The claim should be in writing within the period starting 28 days before the tenancy ends and ending 14 days after the tenancy comes to an end.

As a rule, the longer the tenant has enjoyed the improvement the less compensation they may be awarded. If the improvement has been in place for five years no compensation will be paid. If the outgoing tenant owes us any money, any compensation due will be offset against the debt outstanding. Interior decorating does not qualify for compensation.

## **Rechargeable Repairs**

Following an inspection of a void property, if it is found that any repairs required are not due to fair wear and tear, we will charge the outgoing tenant for the cost of the damage. Please see the Rechargeable Repairs Policy for further details

## **Safety Checks**

We will ensure all health and safety checks are completed before a property is designated as ready to let.

When a tenant leaves their home, we ensure that the gas fittings, smoke alarms and flues are safe before re-letting. Any unsafe equipment will either be repaired or removed before the new tenancy begins. A gas tightness test will also be undertaken.

We will provide a copy of the gas safety record to confirm the check has been carried out to the new tenant before they move in.

An electrical check will also be carried out on all void properties and a valid certificate will be provided.

### **Lettable Standard**

The cleaning, decorative and repair standards that a new tenant can expect from us in their new home is set out in Appendix 1 which details the Lettable Standard. The Lettable Standard has been developed with our tenants. Photographs will be taken prior to the property being let to demonstrate meeting the Lettable Standard.

In some cases, works may be carried out when the property has been let to the new tenant. Any nonessential works will be completed within 21 days of the new tenancy commencing.

Decoration vouchers may be offered to new tenants in exceptional circumstances, at the discretion of the Housing Officer. This may include for example, where the condition of decoration is very poor, caused by excessive nicotine staining.

### **Energy Performance Certificate**

All properties will have a valid EPC certificate. We will provide upon request an Energy Performance Certificate to tell the incoming tenant the energy efficiency of the home in terms of heating and lighting.

### **Lettings**

#### **Applying for housing**

All applications for housing will need to be made directly to Cheshire West and Chester's West Cheshire Homes team at [www.westcheshirehomes.co.uk](http://www.westcheshirehomes.co.uk). The West Cheshire Homes team can also be contacted on 0300 123 2442.

All housing applications will be processed in line with West Cheshire Homes Policies and Procedures.

#### **Who Can Apply**

Some applications may not be accepted by West Cheshire Homes please refer to the West Cheshire Homes policy in Appendix 2 for further information on who is and is not eligible to apply for housing.

#### **Allocating a property**

All allocations will be made in line with the West Cheshire Homes Policy. Applicants wanting accommodation will need an active application and will 'bid' for a property and the success of the bid will depend on the priority band that they have for the vacancy.

Bids may be made online through the dedicated West Cheshire Homes website, by telephone or by text message.

Prospective tenants will be accompanied by a staff member, usually the Housing Officer for that area, when viewing properties.

New tenancies can start on any day of the week. Whilst consideration will be given to new tenants' circumstances, tenancies will commence as soon as practically possible following the property being available to let. This is to maximise the accommodation available.

### **Management Lets**

Management lets will be used in some cases where the health and safety of the tenant could be at serious risk if they remain in their own home.

In these instances, we will house tenants in 'like for like' properties unless the tenant is under-occupying, when a smaller property will be offered. Where there is an immediate danger to safety and there is no suitable property available, we will work with West Cheshire Homes to find suitable accommodation.

### **Local Letting Schemes**

We aim to let tenancies which are sustainable and contribute to stable communities. To help us do this, we may put in place local lettings arrangements for particular properties to take account of local circumstances or to tackle tenancy management or lettings issues. Details of the criteria to be applied when considering Local Lettings are detailed in the West Cheshire Homes policy.

### **Sensitive Lets**

Occasionally it may be necessary to undertake sensitive lettings if there is a wider benefit to a community or where the health and safety of an applicant is, or could, be put at risk. All sensitive lettings will be approved by the Housing Manager.

### **Verification Criteria**

Before any offer is made, we will carry out a number of checks against the applicant and any member of their household moving with them to verify the details on the application form are correct and that the property offered is suitable. This will include:

- A document and photographic identification check to verify identity and residency.
- An income and expenditure check along with a credit check with a credit agency to assess affordability.
- A reference from previous landlords to show how the tenancy was conducted.
- If an applicant does not pass the verification check, an offer will not be made.

Applicants will not be offered a property, where a risk to either themselves or others has been identified. We will always tell an applicant the reasons why we are unable to make any offer.

### **Affordability Assessment**

Before any offer is considered, all applicants will undergo an affordability assessment and credit reference check to assess whether they can afford to sustain the tenancy.

Where an applicant has no income in place to pay their rent, no offer will be made.

Offers will only be made where it's assessed the applicant can afford to pay their rent and is able to sustain their tenancy. We may exercise our discretion and withdraw offers on financial grounds if applicants combined household income from earnings, benefits and savings are such that they would not be able to afford to rent the property. Affordability will be assessed based on an income and expenditure assessment. This will take into consideration whether a household is able to afford their rent alongside other essential costs, including utility bills, and other outstanding financial commitments.

A minimum payment of the first week's rent is required at all sign-ups irrespective of whether the tenant may be eligible for Benefit. We reserve the right to withdraw the offer of accommodation if the first week's rent is not paid.

### **Fraudulent Information**

Any applicant seeking to obtain accommodation by making a false statement, withholding relevant information or by failing to tell us about any material change in circumstances will have their application cancelled.

Where an allocation has been made and the applicant knowingly gave false information, we will take action for possession under Ground 5 Schedule 2 of the Housing Act 1985.

### **Transfer Requests**

Existing Cheshire West and Chester Council tenants may apply for a transfer to alternative accommodation after 12 months of their tenancy. Requests for a transfer should be made to West Cheshire Homes.

Transfers will not be considered if:

- The tenant has current rent arrears.
- There is damage to the property and therefore would incur rechargeable repairs.
- Notice to Seek Possession has been served for Anti Social Behaviour or a tenancy breach.

### **Mutual Exchange**

We will encourage tenants requesting a move to consider a mutual exchange as a way of moving to more appropriate home. Tenants will be encouraged to register with the national Homeswapper, scheme which facilitates country wide property matching. More information regarding Mutual Exchanges is available in the Mutual Exchange policy.

### **Appeals Process**

Appeals on allocation decisions can be made via ForHousing's complaints Policy.

## **How the Policy will be delivered**

This Policy sets out ForHousing (Managed)'s overall approach to voids and lettings. This Policy will be communicated to employees via the intranet and to tenants, partners, and other stakeholders through our website.

We shall let homes as quickly as possible to avoid loss of rent, vandalism, or squatting. The properties that are let will meet the agreed lettable standard.

If staff become aware that there are problems with effective operation of the policy or the associated procedures, they should report this to the responsible officer for the policy. This feedback will be incorporated into the policy/procedural review process.

## Related Documents

- Rechargeable Repairs Policy
- Mutual Exchange Policy
- West Cheshire Home Policy

## Inclusive Decision-Making Framework (IDMF) Analysis

Date of approved IDMF analysis	26/10/23
Actions taken forward to mitigate any potential negative impact	N/A

## Equality Analysis (Tenants)

Actions taken forward to mitigate any potential negative impact	Policy document to be provided in alternative formats.  ForHousing staff to undertake equality and diversity training on an ongoing basis to support the delivery of this policy.
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## Consultation & Business Intelligence

The Policy was created in consultation with CW&C tenants and representatives of CW&C and ForHousing.

## Data Protection Impact Assessment

### Data Protection Impact Assessment (DPIA)

Under the UK GDPR and the Data Protection Act 2018, you are required to carry out a DPIA when developing or reviewing a Policy or Procedure that will have a widespread or serious impact on data held on individuals. Careful consideration should be given as to whether the policy or process will have an impact on any processing of personal information that is large scale, involves profiling or monitoring, decides on access to services or opportunities, or involves sensitive data or vulnerable individuals. Information and support regarding this can be obtained from the Data Protection Officer (DPO).

Has a DPIA been completed?	Yes
If a DPIA has been completed, was the DPO consulted?	Yes
If a DPIA has been completed, were any risks identified?	Yes, low
If risks were identified as part of the DPIA process, have mitigation actions been identified?	Yes

## Monitoring Arrangements

We will monitor and report performance in compliance with this Policy.

## Control Data & Approval History

<b>Policy Owner:</b>	CW&C: Lucy Heath, Head of Housing
<b>Next review date:</b>	1 <sup>st</sup> July 2027

Issue	Approved By	Date
Approval – V1	ForHousing (Managed) SMT	30 <sup>th</sup> April 2018
Approval – V1	CW&C, Cabinet Member - Housing	8 <sup>th</sup> September 2018
Approval – V2	CW&C Cabinet Member – Housing, Planning and Climate Emergency	17 <sup>th</sup> February 2022
Approval – V3	CW&C Cabinet Member of Homes, Planning and Communities	2 <sup>nd</sup> July 2024

## Document Revision History

Date	Version Number	Key Changes
8 <sup>th</sup> September 2018	1	Original version
15 <sup>th</sup> March 2021	2	Pre-termination visit updated to reflect the assessment approach. Updated CW&C responsible Director name and title.
May 2024	3	Appendix 1 amended -Lettable standard reviewed and changed with tenants
28 <sup>th</sup> June 2024	3.1	Revised version following tenant feedback: <ul style="list-style-type: none"> <li>Improvement of layout of document.</li> <li>Additional information about the following: <ul style="list-style-type: none"> <li>Allocating of a property</li> <li>Best use of stock</li> <li>Appeals process.</li> <li>Compensation and expenses</li> </ul> </li> </ul>



		<ul style="list-style-type: none"><li>• Detail decant options available.</li><li>• Made clear that this policy document can be provided in alternative formats.</li><li>• Informed about the ongoing equality and diversity training being provided to staff in the delivery of this policy.</li><li>• Informed about West Cheshire Homes Policy</li></ul>
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